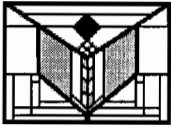


EO - 509



David Navecky/STB
05/21/2007 10:38 AM

To sidney.strickland@stricklandpllc.com
cc
bcc
Subject AB-6 (Sub-No. 459X)

Sidney -

Based on my research, the subject abandonment is located in Washington's designated coastal zone and railroad abandonments are subject to Federal consistency review under the state's coastal zone management program. According to the Board's environmental rules, for any proposed action that is within a state coastal zone and subject to review in the state's coastal zone management plan, the applicant must certify that the proposed action is consistent with the state's coastal zone management plan. See 49 CFR Part 1105.9. Therefore, the applicant in this case must provide the Board with this consistency certification.

The content of the consistency certification under the Washington program is generally outlined at the following link under "Actions which Require Federal Approval."
<http://www.ecy.wa.gov/programs/sea/czm/fed-consist.html>

If you have any specific questions regarding the contents of the certification, I suggest you contact the Washington Coastal Zone Management Program office directly by phone at 360-407-6068, or by email at lora461@ecy.wa.gov.

After reviewing the Notice for this case, I see that the document was submitted to the Washington Shore Lands and Coastal Zone Management office for review and comment. However, rather than simply waiting for a reply from that office, the Federal consistency process requires a more active role by the applicant.

If the Federal consistency review process is not completed at the time the Environmental Assessment (EA) for this abandonment is served, the EA will contain a recommendation from the Board's Section of Environmental Analysis that would prohibit salvage activities from occurring until the this review process is completed.

Please let me know if you have any questions.

Thanks,

Dave
292-245-0294
STB Section of Environmental Analysis